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FORM PTO-1390
(REV. 02-2005)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
41587-370TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR

1.5
10/285942
10/532549INTERNATIONAL APPLICATION NO.
PCT/US03/34487INTERNATIONAL FILING DATE
29 October 2003 (29.10.2003)PRIORITY DATE CLAIMED
1 November 2002 (01.11.2002)TITLE OF INVENTION
MESSAGE APPARATUS AND METHOD FOR LUMBAR SUPPORTAPPLICANT(S) FOR DO/EO/US
L & P PROPERTY MANAGEMENT COMPANY

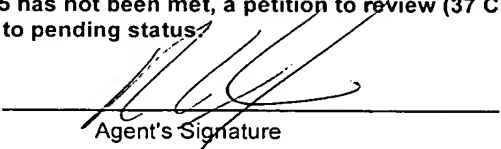
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Article 34 Amendments, Postcard Receipt

page 1 of 2

U.S. APPLICATION NO. (If known) (37 CFR 1.5) 10/286,140 10/532549		INTERNATIONAL APPLICATION NO. PCT/US03/34487		ATTORNEY'S DOCKET NUMBER 41587-370	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/>	Basic fee \$300	\$300.00		
22.	<input checked="" type="checkbox"/>	Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100 All other situations.....\$200	\$100.00		
23.	<input checked="" type="checkbox"/>	Search Fee Search fee (37 CFR 1.44(a)(2)) has been paid on the international application to the US PTO as an International Searching Authority.....\$100 International Search Report prepared and provided to the Office.....\$400 All other situations.....\$500	\$100.00		
TOTAL OF 21, 22 AND 23=			\$500.00		
<input type="checkbox"/> Additional fee for specification and drawings files in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
20 - 100 =	0 / 50 =		X \$250	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x \$ 50	\$0.00	
Independent claims	2 - 3 =	0	x \$200	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			+	\$	
SUBTOTAL =				\$500.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$130.00	
TOTAL NATIONAL FEE =				\$500.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+	\$0.00	
TOTAL FEES ENCLOSED =				\$630.00	
			Amount to be refunded:	\$	
			charged:	\$	
a. <input checked="" type="checkbox"/> A check in the amount of \$630.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 08-3460 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3460. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to review (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Robert C. Haldiman, Reg. No. 45,437 Husch & Eppenger, LLC 190 Carondelet Plaza St. Louis, MO 63105 (314)480-1500					
			 Agent's Signature		
			Date: <u>April 22, 2005</u>		

EXPRESS MAIL CERTIFICATE OF MAILING (37 CFR 1.10)

Express Mail No.: EV 630758158 US

Docket No.
10/532549

Applicant(s): L & P PROPERTY MANAGEMENT COMPANY

International Application No.
PCT/US2003/34487International Filing Date
29 October 2003 (19.10.2003)Priority Date Claimed
1 November 2002
(01.11.2002)DO/EO/US
USTitle:
MESSAGE APPARATUS AND METHOD FOR LUMBAR SUPPORTTO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is:

- ☒ Transmittal Letter to the US Designated/Elected Office Concerning a Filing Under 35 USC 371
- ☒ Article 34 Amendments
- ☒ Declaration
- ☒ Transmittal of Information Disclosure Statement
- ☒ Form 1449 Information Disclosure Statement
- ☒ Check in the amount of \$630.00
- ☒ Acknowledgement Card
- ☐
- ☐
- ☐
- ☐
- ☐
- ☐
- ☐

Signature

Dated: 4-22-2005

Robert C. Haldiman, #45,437
 Husch & Eppenberger, LLC
 190 Carondelet Plaza
 St. Louis MO 63105-3441
 309-637-4900
 309-637-4928 FAX

Customer No. 029493

I certify that the document and fee is being deposited on
4-22-2005 with the U.S. Postal Service as
 Express Mail under 37 C.F.R. 1.10 and is addressed to the
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA
 22313-1450.

Express Mail No.: EV 630758158 US

Signature of Person Mailing Correspondence

Deborah Lane-Christian

Typed or Printed Name of Person Mailing Correspondence